

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE: NATIONAL COLLEGIATE ATHLETIC ASSOCIATION STUDENT- ATHLETE CONCUSSION INJURY LITIGATION THIS DOCUMENT RELATES TO:	MDL NO. 2492 Judge John Z. Lee Magistrate Judge Brown 4:13-cv-01106 (W.D. Missouri)
<i>Powell</i> v. National Collegiate Athletic Association	

**POWELL PLAINTIFF'S JOINDER OF *WALKER* AND *MORGAN*
PLAINTIFF'S MOTION TO TEMPORARILY ENJOIN THE ONGOING
ARRINGTON MEDICAL MONITORING CLASS SETTLEMENT
NEGOTIATIONS WITH DEFENDANT NCAA**

Pursuant to Rule (23)(a)(4) of the Federal Rules of Civil Procedure, Plaintiff in the case of *Powell v. NCAA*, 4:13-cv-01106 (W.D. Missouri), consolidated before this Court as part of MDL No. 2492, joins the motion filed by the *Walker* and *Morgan* Plaintiffs on January 31, 2014 (Dkt. #5) and respectfully requests that this Court temporarily enjoin the ongoing medical monitoring class settlement negotiations between Plaintiffs in *Arrington, et al. v. NCAA*, 1:11-cv-06356 (N.D. Ill.) and Defendant NCAA.

Plaintiff *Powell* seeks modification of the ongoing medical monitoring class settlement negotiations to ensure that any negotiations are structured to fairly and adequately, and independently, represent the interest of former NCAA football players who played before 2004 and former NCAA football players who played in 32 states (all states *not* listed in the *Arrington* medical monitoring class certification motion (*Arrington*, Dkt. #175 at p. 20)). *Powell* class

representative Christopher Powell played college football from 1990 to 1994 on the University of Kansas football team. Thus, Mr. Powell is excluded from the *Arrington* medical monitoring class definition because he played before 2004.

To avoid redundancy with previously filed motions, Plaintiff *Powell* is respectfully incorporating by reference the pending Motion to Temporarily Enjoin the Ongoing Arrington Medical Monitoring Class Settlement Negotiations With Defendant NCAA previously filed by the *Walker* and *Morgan* Plaintiffs in the consolidated case, Case No. 1:31-cv-09116 (Dkt. #5, 6, and 6-1). Plaintiff *Powell* respectfully incorporates as though fully set forth herein the motion and memorandum in support because Plaintiff *Powell* is similarly situated as plaintiffs in the *Walker* and *Morgan* cases.

Wherefore, the foregoing reasons and the incorporated motion and memorandum by the *Walker* and *Morgan* Plaintiffs (Dkt. #5, 6 and 6-1), Plaintiff *Powell* joins in the motion filed by the *Walker* and *Morgan* Plaintiffs on January 31, 2014 (Dkt. #5) and respectfully requests that this Court temporarily enjoin the ongoing *Arrington* medical monitoring class settlement negotiations and provide structural assurances of fair representation for former players before 2004 and former players from 32 states.

Respectfully submitted,

**BARTIMUS, FRICKLETON, ROBERTSON
& GORNY, P.C.**

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